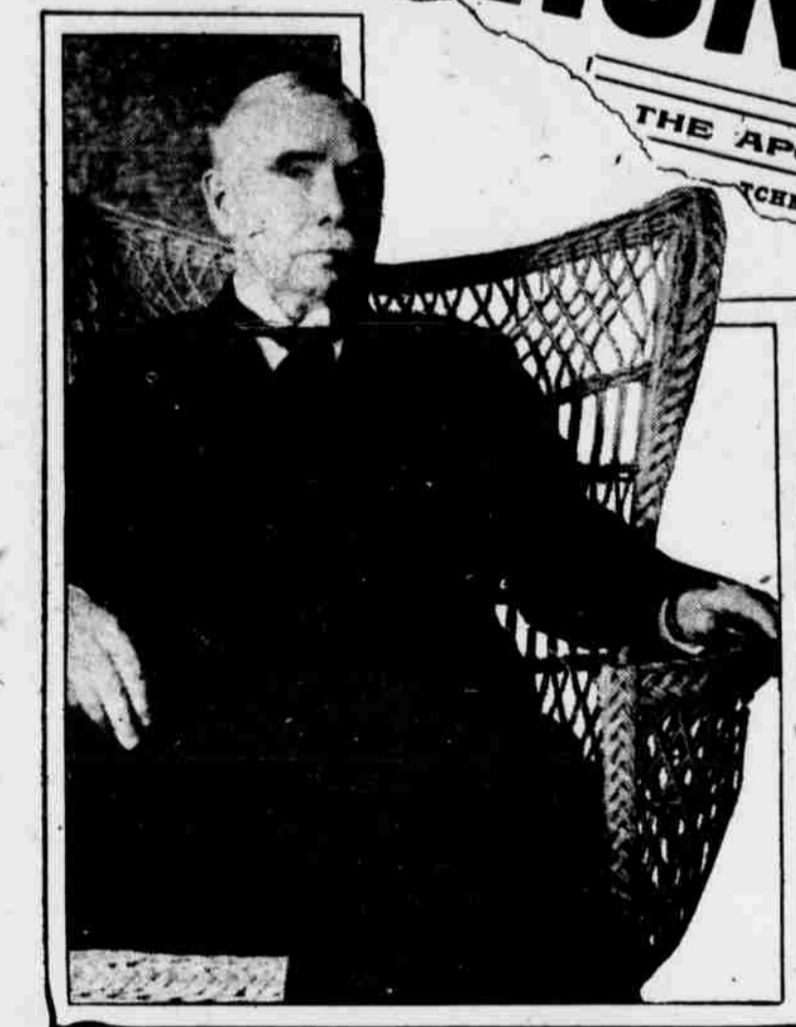


# Does It Cost a Million Dollars to Call Henry Ford an Anarchist?



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## Nationwide Interest Attaches to Flivver King's Libel Suit Against Chicago "Tribune," Based on Editorial Assailing His Attitude Toward Military Preparedness

By P. W. WILLIAMS.

**D**ID the Chicago Tribune have a right to call Henry Ford an anarchist?

Was it worth a million dollars to the automobile king?

A jury of Macomb county citizens, sitting before Circuit Judge James G. Tucker in Mount Clemens, will begin consideration of these questions on May 12, when Mr. Ford's libel suit against the Chicago newspaper is to come up for trial on a change of venue from Wayne county.

Incidentally the jury will have reviewed for its inspection the entire series of events which led up to the short-lived American military expedition into Mexico three years ago and of America's entry into the European war; with the attitude of Henry Ford toward military preparedness and the Tribune's conception of a great newspaper's duty toward a national crisis.

It is doubtful if any libel suit, regardless of the amount of damages claimed, ever went as far into surrounding details as this. During thirty months since the first suit was started in United States court, both sides have shown that they were willing to spend any necessary amount of time and labor to win a moral victory, the million dollars being a mere side consideration.

The suit grew out of an editorial published in the Tribune June 23, 1916, headed "Ford Is An Anarchist." The editorial was based upon a despatch published the previous day from the Tribune's Detroit correspondent, saying that Ford employees who volunteered to bear arms for the United States in the Mexican trouble would lose their jobs and that no provision would be made for the support of their wives and families while they were away.

The despatch added that other employers were not only guaranteeing future employment but were continuing salaries while their men were at the border. It was headed "Flivver Patriotism."

What the "Tribune" Said.

The editorial referred to this despatch said:

"If Ford allows this rule of his shops to stand he will reveal himself not merely as an ignorant idealist but as an anarchistic enemy of the nation which protects him in his wealth."

"A man so ignorant as Henry Ford may not understand the fundamentals of the Government under which he lives. That Government is permitted to take Henry Ford himself and command his services as a soldier if necessary. It can tax his money for national purposes, and will. It can compel him to devote himself to national purposes. The reason it did not take the person of Henry Ford years ago and put it in uniform is, first, that it had not the common sense to make its theoretical universal service practical, and, second, because there have been young men to volunteer for the service which has protected Henry Ford, for which service he now penalizes them."

"He takes the men who stand between him and service and punishes them."

them for the service which protects him. The man is so incapable of thought that he cannot see the ignominy of his own performance."

"The proper place for a deluded human being is a region where no Government exists except such as he furnishes, where no protection is afforded except such as he affords, where nothing stands between him and the rules of life except such defenses as he puts there."

"Such a place, we think, might be found anywhere in the State of Chihuahua, Mexico. Anywhere in Mexico would be a good location for the Ford factories."

**Ford's Campaign Arouses Ire.**

The feeling between the automobile manufacturer and the Tribune had been made more intense because of Ford's anti-military campaign through page advertisements a few months previously. These advertisements, which created a national sensation and aroused the ire of the leading defense societies, were published in the Tribune among other papers. On the date that the first of the series appeared the Tribune published an announcement on the first page stating that the \$887.04 received for the advertisement would be contributed by the Tribune to the patriotic work of the Navy League. Its leading editorial was a criticism of the advertisement and of Henry Ford's policies.

Ford brought suit against the Tribune in the United States District Court for the Northern District of Illinois September 7, 1916, through his personal attorney, Lucking, Helfman, Lucking & Hanlon of Detroit, and DeFree, Buckingham & Eaton of Chicago.

The Tribune was represented by Shepard, McCormick, Kirkland, Peterson & Fleming of Chicago. The first defense was by a general demurrer, which was answered for technical reasons, and an answer was filed setting up the following as defenses:

1. The gravity of the Mexican situation.
2. The general attitude of Henry Ford and of the Tribune toward preparedness.
3. The fact which the Tribune, as a national newspaper, owed its readers to comment on Henry Ford's action in regard to this matter.
4. The good faith of the Tribune Company in believing that Henry Ford was not going to care for his men at the border.
5. The fact that it was reported at the Ford plant that the Ford company would not provide for its employees who went to the border.

These pleas were technically termed pleas of privilege and pleas of justification.

The Ford attorneys filed a demurrer, holding that the facts stated admitted to be true they did not constitute a defense to Mr. Ford's claim for damages for libel.

The matter was argued at length before Judge K. M. Landis in Chicago in the spring of 1917, but while Judge Landis had his decision under consideration Mr. Ford's attorneys dismissed the action in the Federal Court and started a new one in the Circuit Court for Wayne county.

In order to bring the action into

Michigan courts three news dealers lately graduated from the ranks of street newsboys, were made defendants. It was stated in hearings on the suit that the total capital of the three new defendants would not amount to \$2,000. They were Sam Solomon, Max Solomon and Henry Solomon, doing business under the name of the Solomon News Company. The Solomons are distributors of the 500 copies of the Tribune which come into Detroit. Sam and Max have charge of the Detroit office and Henry is in business in Cleveland.

The two Detroit Solomons were much perturbed when a process server entered their little shop at 69 West Larned street on a July day and handed them summonses to defend a suit for more money than they ever had seen in their lives. After confer-

ing over the change in the till and looking over their bank book and deciding that they would be entirely swamped, they got in touch with the firm of Stevenson, Carpenter, Burtel & Backus, retained as local attorneys for the Chicago Tribune and found that the Tribune would take the brunt of the attack. Since then they have not bothered themselves extensively, being too busy taking care of the extra business which the advertising has brought them.

Mr. Ford himself stated on the stand in a hearing on a motion to dismiss the suit that he did not know very much about the proceedings, having left them almost entirely to his attorneys.

"Whom did you sue in Chicago," he was asked by Elliott G. Stevenson, attorney for the Tribune.

"The Tribune Company."

"Anybody else?"

"I don't know. I did not know anything about that."

"Do you know anything about the details of the proceedings in that court in that case?"

"Not at all."

"Do you know how much damages you claim?"

"I understand a million dollars."

"How did you understand that?"

"Mr. Lucking told me so; he said he saw it in the newspaper."

"What became of that suit; do you know?"

"I understand it was brought to Michigan."

"What did you know about it?"

"I did not know anything about it."

The plea of the defense filed by the Tribune's attorneys is a printed book of 98 pages covering the entire situation regarding the Mexican trouble and the early attitude of the United States toward the European war. Forty pages are devoted to facsimiles of all the articles and cartoons on these subjects published in the Tribune on the day on which the "anarchist" editorial appeared.

In pleading justification and privilege the Tribune attorneys say:

"The plaintiff was on and before June 23, 1916, the president and active executive head of the Ford Motor Company, a Michigan corporation, which had its principal place of business at or near Detroit, Mich., and which was established in or about the year 1903. The Ford Motor Company was before and on June 23, 1916, the largest manufacturer of automobiles in the world. It had factory buildings extending over hundreds of acres of ground and employed in the neighborhood of 30,000 men in its business. In fourteen years the Ford Motor Company had grown from a company with assets of approximately \$125,000 to a corporation with assets of more than \$125,000,000."

"Because of the plaintiff's control of the stock of the Ford Motor Company, because he had continuously served as president of the company since its organization and because of the general public knowledge that he controlled the management of the company as its active executive the plaintiff represented and

typified the Ford Motor Company in the public mind, and the term 'Henry Ford' in common and accepted usage meant and referred to both the plaintiff and the Ford Motor Company. In the year 1915 alone the earnings of the Ford Motor Company amounted to more than \$50,000,000, or in excess of 2,500 per cent. on its outstanding capital stock. By reason of the phenomenal growth and success of the Ford Motor Company, its great wealth and the great wealth of the plaintiff as its head, the plaintiff has become and was on June 23, 1916, one of the most conspicuous figures in the American industrial world."

"During a period commencing in the year 1914 the plaintiff had been and on June 23, 1916, he was an ardent adherent of all policies opposed to military preparedness by the United States. By reason of the plaintiff's great personal wealth he was enabled from time to time to publish in newspapers throughout the United States paid advertisements setting forth his views and doctrines opposed to military preparedness. By reason of the conspicuous position held by him in the industrial world the plaintiff's utterances were sought by newspapers and periodicals throughout the United States, and in frequent interviews with representatives of the public press the plaintiff further set forth his views and doctrines opposed to military preparedness."

"For a period long prior to the outbreak of the European war the defendant had been and on June 23, 1916, was, for reasons which will hereafter be set forth at length and as a result of long study and investigation, firmly of the opinion that if the United States was to protect itself and its citizens, in spirit and enforce respect for its and their rights, avoid needless humiliation, suffering and loss of men and resources, it was necessary for it to adopt measures to enlarge its armed forces and to better equip, systematize and officer their organizations, to the end that an efficient army and navy adequate both in men and equipment might be available for the enforcement and protection of its rights at all times."

"Such protection in its ultimate result it believed to be the country's only firm and binding guarantee for peace."

"Commencing long prior to the European war the defendant had continuously conducted in the columns of the Chicago Daily Tribune a vigorous campaign for national military preparedness, and had by its editorial expressions, by its cartoons and in every legitimate manner urged the adoption of such a programme by the nation, with the result at the time of and long before the publication of the article in the declaration set forth, the Chicago Daily Tribune had become known as one of the foremost journalistic advocates of military preparedness in the country."

**Legal Lineup Imposing.**

Judge Alfred J. Murphy, receiving \$10,000 a year on the circuit bench, was induced to resign and become a member of the legal firm representing Mr. Ford. It was announced that the primary object of the campaign was to have him handle the case before the jury.

Alfred Lucking, head of the firm of Mr. Ford's attorneys, is a former congressman and a leading Democrat. The local attorneys for the Tribune are also prominent Republicans, being a leading Democrat and formerly an international figure in Catholic fraternal matters. William L. Carpenter, second in the firm, is a former justice of the State Supreme Court.

The Chicago legal battle will be headed by Weymouth Kirkland, K. M. Landis, McCormick, Kirkland, Peterson & Fleming, special legal representatives of the Tribune. Mr. Kirkland is regarded as one of the most brilliant younger attorneys in the Illinois metropolis, with a reputation as a court fighter, and several large victories to his credit.

The little courtroom at Mount Clemens is expected to be too small for the crowds drawn by the trial. Michigan newspapers are planning to send special representatives, and two millionaires of America's leading mineral bath city will be at the height of its season.

Judge Tucker, a veteran of the Michigan bench, has already taken steps to expedite the trial, which has now been pending more than two years. A struck jury will be drawn by the court clerk from the present panel, which would ordinarily go out of service in May. From these, each side will have the privilege of striking twelve names arbitrarily, and out of the remaining twenty-four will be drawn the twelve men and true who will decide what is an anarchist, and whether the Tribune had a right to say that America's leading automobile manufacturer was one in 1916.

## What Would Happen With That Ban on Tobacco a Reality

(Continued from Preceding Page.)

with a modest smoker's cough. On the day of writing its score is \$393,362.94 worth of tobacco for the soldiers, paid for and shipped, while its grand total of contributions is \$431,122.51. Parallel efforts by 450 other American newspapers and ninety-nine magazines have yielded \$395,000 altogether for the same object. And from A. E. F. headquarters down to the humblest doughboy on kitchen police, the benighted American soldier is grateful to THE SUN and its contemporaries for these iniquitous doings.

And not at all grateful to the moral reformers who tried to have the cigarette supply cut off, not after the armistice, but during the weeks and months of hardest fighting! Anti-Prohibitionists have made much of the circumstance that the Nineteenth Amendment was put over while several millions of upstanding young Americans were out of the way in France or the home camps. The jubilant Prohibitionists have replied that this is unbecoming, that they would have won out in any case. Ask any returned army officer how he thinks his men would feel should their country, having zealously sent them mountains of smokes to fight on, proscribe their habit (it is over to say every smoker nay).

As for the 30,000,000 (estimated) slaves to tobacco among civilians they seem to be in a smaller counterpart of the position of the moderate drinkers when the Eighteenth Amendment was pending. They do not want to substitute blue ribbons for their shackles, yet except for a portion of the press and for organizations like the Association Opposed, as such may be formed, they have no forum and no fighting legion, and the arguments they can use (assuming that using arguments would matter either way) are very much like the ones the friends of liquor so generally kept to themselves until too late.

Their whole position was stated once for all in a lyric that came out a few years ago in a college publication; the writer regrets that he cannot recall its gifted author's name:

Tobacco is a filthy weed—  
I like it!  
It satisfies no normal need—  
I like it!  
It makes me grow both thin and lean,  
It takes the hair right off your head,  
It's the worst darned stuff I've ever seen—  
I like it!

Indeed, its natural champions are the authors, and have been for a hundred years or more. An essay by Barrie not only made famous the brand of pipe mixture he celebrated, but launched a new brand under the fictitious name he gave. Surely Mr. Marvel still has a fireless reader here and there. But the final word of our literature in rejoinder to Robert Reed dropped from the pen of Mark Twain, when Mark—pioneer of the calabash in America, and inventor of a pipe he could smoke all night through a tube as he read in bed—was the obscure staff funny man of a San Francisco daily, and had to answer correspondents as part of his day's grind.

This is one of his answers:

"Moral Statistician"—I don't want any of your statistics; I took your whole batch and lit my pipe with it. I have your kind of people. You are always ciphering out how a man's health is injured, and how much his intellect is impaired, and how many pitiful dollars and cents he wastes in the course of ninety-two years' indulgence in the fatal practice of smoking; and in the equally fatal practice of drinking coffee; and in playing billiards occasionally; and in taking a glass of wine at dinner, etc., etc. You never seem to see more than one side of the question. You are blind to the fact that most old men in America smoke and drink coffee, although, according to your theory, they ought to have died young; and that hearty old Englishmen drink wine and survive it, and portly old Dutchmen both drink and

smoke freely, and yet grow older and fatter all the time.

"And you never try to find out how much solid comfort, relaxation and enjoyment a man derives from smoking in the course of his lifetime (which is worth ten times the money he would save by letting it alone) nor the appalling aggregate of happiness lost in a lifetime by your kind of people from not smoking."

"Of course you can save money by denying yourself all those little vicious enjoyments for fifty years, but then what can you do with it? What use can you put it to? Money can't save your infinitesimal soul. All the use that money can be put to is to purchase comfort and enjoyment in this life; therefore, as you are an enemy to comfort and enjoyment, what is the use of accumulating cash? It won't do for you to say that you can use it to better purpose in furnishing a good table, and in charities, and in supporting tract societies, because you know yourself that you people who have no penny vices are never known to give away a cent, and that you stint yourselves so in the matter of food that you are always feeble and hungry. And you never dare to laugh in the daytime for fear some poor wretch, seeing you in a good humor, will try to borrow a dollar of you and in church you are always down on your knees, with your ears buried in the cushion, when the contribution box comes around; and you never give the revenue officers a full statement of your income."

"Now you know all these things, don't you? Very well then, what is the use of your stringing out your miserable lives to a lean and withered old age? What is the use of your saving money that is so utterly worthless to you? In a word, why don't you go off somewhere and die and not be always trying to seduce people into becoming as ornery and unlovable as you are yourselves by your villainous moral statistics?"

"Now I don't approve of dissipation and I don't indulge in it either, but I haven't a particle of confidence in a man who has no redeeming petty vices, and so I don't want to hear from you any more. I think you are the very same man who read me a long lecture last week about the degrading vice of smoking cigars and then came back in my absence, with your reprehensible fireplace gloves on, and carried off my beautiful parlor stove."

**Hope for Grape Growers**

**H**OW to help growers of wine grapes readjust their farming to meet new conditions under national prohibition is a problem receiving the attention of the United States Department of Agriculture. Most of the growers in California, principally in the bay country around San Francisco, where about 200,000 acres of wine grapes are grown, have depended wholly upon these vineyards for their support. The department sees a ray of hope in the complex situation through conversion of a small proportion of this acreage into current grapes.

There is an established market in the United States for about 20,000,000 pounds of dried currants annually, department specialists say. That was the average quantity annually imported prior to the beginning of the European war. The demand for them has become thoroughly fixed and may fairly be depended upon. From 8,000 to 10,000 acres of grapes would be necessary to meet this demand, heretofore supplied from abroad. Domestic consumption of currants, no doubt, could be greatly increased by proper educational efforts, thus affording a larger possibility for the conversion of wine vineyards.

This conversion could be accomplished and would pay only where the vines are phylloxera resistant, comparatively young, and have not previously been grafted.

For about fifteen years the Department of Agriculture has been experi-

menting with currant grapes in California.

Two cardinal points must be observed, the department says, in order to grow the choicer currant grapes successfully; they should be grafted on phylloxera resistant stocks congenial to them, but such stocks must also be suited to the soil and other conditions. In an extensive test on various resistant stocks a sufficient number of varieties of these stocks has been found from which to select such as are adapted to the various soil types and other conditions and that are congenial to current grapes.

The other essential is that the vines be thoroughly girdled at blooming time. It has been definitely ascertained that this is necessary to make the blooms set and to secure a full crop of fruit. This girdling consists in making two parallel cuts entirely around either the trunks, arms or canes of the vines and taking out the bark between the cuts. The girdling must be thoroughly done, and it must be done while the vines are in bloom.

There may be possibilities for the wine vineyardists in the making of grape syrups. As the University of California has pointed out, the manufacture of syrups could be accomplished with comparatively little expense for special equipment, as some of the wineries already have syrup making machinery.

A table syrup produced from grapes necessarily would be a high priced syrup. It could not compete with the commoner kinds of syrup in price,

and I don't indulge in it either, but I haven't a particle of confidence in a man who has no redeeming petty vices, and so I don't want to hear from you any more. I think you are the very same man who read me a long lecture last week about the degrading vice of smoking cigars and then came back in my absence, with your reprehensible fireplace gloves on, and carried off my beautiful parlor stove."

**Quotes Ford's Advertisements.**

The plea then quotes in full an advertisement inserted by Mr. Ford in the Tribune and other newspapers throughout the country April 11, 1918, under the caption, "Humanity and Sanity," containing such headings as "The Battle Cry of Maxim" and "Armor Plate Patriotism." Following this is an editorial printed in the Tribune the same day under the heading "The Fallacies of Henry Ford."

Events leading up to the Mexican expedition and to our entry into the European war are summarized as they were in the public mind at the time of the publication of the "Anarchist"



WILLIAM LUCKING  
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ALFRED LUCKING

HENRY FORD  
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Underwood

ALFRED J. MURPHY, ATTORNEY FOR MR. FORD

With Moral Victory the Real Stake, Both Sides Line Up Notable Array of Counsel for Legal Battle Which Is to Open on May 12